

AKIMOTO *et al.*, SN 09/975,934RCE
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REOPENING OF PROSECUTION

In *lieu* of a Petition Under 37 CFR §1.198 in accordance with MPEP §1214.07 to reopen or reconsider prosecution of a case after Decision by the Board where no court action has been filed, Applicant respectfully reopens prosecution by Request for Continued Examination (RCE) under 37 CFR §1.114 and the present Submission.

PENDING CLAIMS

Claims 1-15 were pending in the application at the time of filing of the Appeal in this application. Unrelated to any prior art, scope or rejection, appropriate Claims have been amended or added in order to adjust a clarity and/or focus of Applicant's claimed invention. That is, such changes are unrelated to any prior art or scope adjustment, and are simply clarified claims in which Applicant is presently interested. At entry of this paper, Claims 1-23 are pending in this RCE application for consideration and examination.

COMMENTS ON DECISION

Applicant respectfully embraces the 21 January 2004 BPAI Decision in U.S. Application No. 09/975,934, and the Board's statements therein that "[t]he terms 'AND circuit,' 'AND logical circuit,' 'AND functional circuit' and 'AND logical functional circuit' all have the same meaning" and "[a]ny circuit which performs an AND function is an 'AND circuit,' an 'AND logical circuit' and an 'AND functional circuit.'" Accordingly, based upon this prosecution history, the claimed term "AND logical circuit" within Applicant's US 6,329,973 B1 (issuing from U.S. Application No.

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09/043,534) should be broadly interpreted as simply being an "AND circuit" covering ALL TYPES of AND circuits, including BOTH digital and analog AND circuits.

PRESENT SUBMISSION

Clarified Claims 1-15 of this RCE application (paralleling Claims 1-15 of the parent application) have independent claims thereof broadened in a manner to simply recite "a selecting circuit" which is "usable to select a display pixel." That is, such claims avoid explicitly reciting an AND (logical or functional) gate, which may be desirable given that Applicant's invention (*e.g.*, FIG. 1) may be practiced using some other type of gating than AND gating. The selecting circuit is detailed as being implemented via "analog circuitry" and/or "digital circuitry" in other ones of dependent claims (*i.e.*, added Claims 16-23).

RESERVATION OF RIGHTS

It is respectfully submitted that any and all claim amendments and/or cancellations submitted within this paper and throughout prosecution of the present application are without prejudice or disclaimer of any scope or subject matter. Further, Applicant respectfully reserves all rights to file subsequent related application(s) (including reissue applications) directed to any/all previously claimed limitations/features which have been subsequently amended or cancelled, or to any/all limitations/features not yet claimed, *i.e.*, Applicant continues (indefinitely) to maintain no intention or desire to dedicate or surrender any limitations/features of subject matter of the present application to the public.

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EXAMINER INVITED TO TELEPHONE

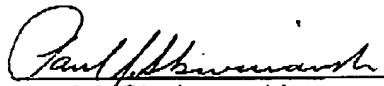
The Examiner is invited to telephone the undersigned at the local D.C. area telephone 703-312-6600, to discuss an Examiner's Amendment or other suggested action for accelerating prosecution and moving the present application to allowance.

CONCLUSION

In view of the foregoing amendments and remarks, Applicant respectfully submits that the claims listed above as presently being under consideration in this RCE application are in condition for allowance. Accordingly, early allowance of such claims is respectfully requested.

This §1.114(c) Submission is being filed concurrently with a Request for Continued Examination Under 37 CFR §1.114(a)(3) within the time period set by 37 CFR §1.97(c), and is therefore timely and proper for entry and consideration. A Form PTO-2038 authorizing payment of the RCE and additional claims fee also is submitted concurrently herewith. Please charge any actual shortage in fees due for this paper to ATS&K Deposit Account No. 01-2135 (Case No. 520.36114CX1).

Respectfully submitted,



Paul J. Skwierawski
Registration No. 32,173
ANTONELLI, TERRY, STOUT & KRAUS, LLP
1300 North Seventeenth Street, Suite 1800
Arlington, Virginia 22209-3801, USA
Telephone 703-312-6600
Facsimile 703-312-6666

Attachments:

RCE
Form PTO-2038 (Codes 1801/1202)